

Remarks

Claims 1-15 are currently pending in the Application.

Summary of claim amendments

This response amends Claims 1 and 8 to clarify the language of the claims. Support for the amendments can be found, for example, in Figure 4 and corresponding text in the specification. No new matter has been added.

35 U.S.C. §102(e) Rejection

Claims 1-2, 5-9 and 13-15 stand rejected under 35 U.S.C. §102(e) as being anticipated by Yamazaki (U.S. Publication No. 2003/0146446). Applicant respectfully disagrees.

The Examiner is reminded that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that “[the] identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant submit that Yamazaki does not teach each and every element as set forth in the rejected claims. In particular:

Claim 1

Applicant submits that Yamazaki does not disclose, suggest or teach, *inter alia*, at least the following features recited by amended Claim 1 of the present application:

“an anode layer formed **directly** on the optic-compensation film”
(emphasis added)

The Examiner asserts that “an anode” as recited in Claim 1 is disclosed by Yamazaki’s layer “25.” See page 2, last full paragraph of the Official Action. The Examiner also asserts that “the optic-compensation film” as recited in Claim 1 is disclosed by Yamazaki’s layer “12.” See page 2, last full paragraph of the Official

Action. Applicant respectfully traverses the Examiner's assertion.

According to Yamazaki, the layer "25" is separated from the layer "12" by insulating film "14," insulating film "16," and light shield film "17." See Figure 10A of Yamazaki. Applicant submits that the layer "25" is not directly on the layer "12," because the two layer are separated by at least three other layers.

Therefore, Applicant submits that Yamazaki does not teach, disclose or suggest "an anode layer formed directly on the optic-compensation film" as recited in amended Claim 1. Hence, Claim 1 is patentable over Yamazaki and should be allowed by the Examiner. Claims 2, 5-7, at least based on their dependency on Claim 1, are also believed to be patentable over Yamazaki.

Claim 8

Applicant submits that, at least for the reasons stated above for Claim 1, Yamazaki does not teach, disclose or suggest "forming an anode layer directly on the optic-compensation film" as recited in amended Claim 8. Hence, Claim 8 is patentable over Yamazaki and should be allowed by the Examiner. Claims 9 and 13-15, at least based on their dependency on Claim 8, are also believed to be patentable over Yamazaki.

35 U.S.C. §103(a) Rejection

Claims 3-4 and 10-12 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Yamazaki (U.S. Publication No. 2003/0146446) and further in view of Yamazaki (U.S. Patent No. 6,815,723).

Applicant submits that Claims 3-4 and 10-12, at least based on their dependency on Claims 1 and 8, respectively, are believed to be patentable over Yamazaki (U.S. Publication No. 2003/0146446) and Yamazaki (U.S. Patent No. 6,815,723), because there is no prima facie 35 USC 102(e) case based on Yamazaki (U.S. Publication No. 2003/0146446), as shown above, and because the Examiner has not shown to the

Applicant where Yamazaki (U.S. Patent No. 6,815,723) discloses, teaches or suggests the features not found in Yamazaki (U.S. Publication No. 2003/0146446).

The Examiner is encouraged to contact the undersigned to discuss any other issues requiring resolution.

Conclusion

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

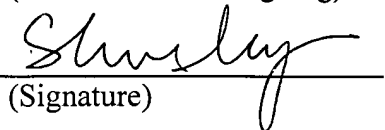
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Shannon Tinsley

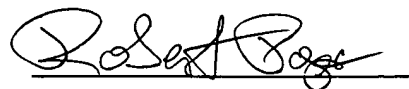
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Respectfully submitted,



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